III.—CHAIRMAN'S RULING ON THE PRIVILEGE MOTION *RE* LEAKAGE OF GOVERNMENT'S TAXATION PROPOSALS.

MR. CHAIRMAN :—" On the 27th June, the hon. Member, Sri S. B. Adityan, the Leader of the Opposition, made the following motion : 'That the question of breach of privilege of the Members of this House arising out of the publication in newspapers of the taxation proposals contained in the Finance Minister's Budget speech before they were available to the Members of this House be referred to a Committee of Privileges to be constituted under Rule 143 of the Council Rules."

" I have to decide whether this Motion is in order, whether there is any question of privilege of this House involved in the alleged premature publication of the taxation proposals of Government, and whether there is a *prima facie* case of breach of privilege to go before the Committee of Privileges of this House.

" As the question for decision was one of some importance, I took time to consider it.

" I have carefully considered the authorities and am clearly of opinion that no question of breach of privilege of this House arises in this case. What is alleged is a divulgence or leakage of a Cabinet secret. The Cabinet is of course entitled in its discretion to treat its discussions and decisions as secret until it itself permits their disclosure. But the privilege of secrecy of a Cabinet secret is that of the Cabinet and its protection is its own concern. The secrecy of Cabinet decisions cannot be a privilege of this House, though the House will be justified in the public interest in its maintenance. Nor is the first disclosure to Parliament of the Government's taxation proposals included among the recognized privileges of Parliament. The words 'Privileges of Parliament' are technical in their import and restricted in their content. They should not be confounded with Functions of Parliament. They have become defined by the practice of centuries in England, where it is settled law that no new privilege can be created (page 45 of May, 15th edition).

" The hon. Members will remember that even in the case of Dalton, which was relied upon in support of this Motion, the disclosures of Cabinet secrets were not raised on a Motion of Privilege and as breach of a Parliamentary privilege, and were not asked to be referred to the Committee of Privileges of the House. The question was raised only as a matter of public concern and was not referred to the Committee of Privileges.

" In the circumstances, I must hold that the Motion before the House is out of order and should be disallowed. I disallow it accordingly."